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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Jaime Poris  
Assignee: Nanometrics Incorporated  
Title: Method of Measuring Dishing  
Serial No.: 09/578,798 Filing Date: May 23, 2000  
Examiner: William C. Choi Group Art Unit: 2873  
Docket No.: NAN040 US Confirmation No.: 5190

Santa Clara, California  
October 31, 2002

COMMISSIONER FOR PATENTS  
Washington, D. C. 20231

RESPONSE TO OFFICE ACTION

Dear Sir:

This Response to Office Action is responsive to the July 31, 2002, Office Action, which has a statutorily shortened period for response that ends October 31, 2002. Please consider the following remarks before taking action on the merits of the above-referenced application.

REMARKS

Claims 1-19 are pending of which Claims 1-4 and 10 were rejected and Claims 5-9 and 11-13 were objected to as being dependent on a rejected base claim. Claims 14-19 were allowed.

Claim Rejections – 35 U.S.C. §102

Claims 1-4 and 10 were rejected under 35 U.S.C. §102(e) as being anticipated by Johnson et al. (US 6,340,602 B1) (“Johnson”). Applicant respectfully requests reconsideration and withdrawal of the rejection.

With respect to Claim 1, the Examiner stated that Johnson discloses “a method of measuring the dishing (column 17, lines 26-28) of a first feature (Figure 19b, “852”) that is surrounded by a second feature (Figure 19b, “854”) on a substrate (column 17, lines 40-42,

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